

Mr. MURTHA. Let me mention to the gentleman, we have a \$459 billion bill.

We look at every one. We ask the Members to vet them. Our staff vets them. We go over every single earmark.

We don't apologize for them because we think the Members know as much about what goes on in their district as much as the bureaucrats and the Defense Department.

Mr. CAMPBELL of California. Then I am sure if the gentleman goes over every single one, he can answer the questions, what investigations, what research has been done to determine that this technology is effective and is worth \$2 million of taxpayers' funds?

If you investigate every earmark, I have a couple of other questions. Sherwin-Williams is not the only maker of paint in the country. How did we know, and what was determined that Sherwin-Williams was the best or the right supplier, if you assume that the military asked for it and the technology was effective?

Mr. MURTHA. I don't represent Sherwin-Williams. I don't know what paint company you represent, but we know they are a very qualified contractor.

Mr. CAMPBELL of California. I thank you. Again, my question was, I am sure, they are obviously a well-known qualified paint company. By the way, I don't represent any paint companies, to my knowledge, none whatsoever.

So my question is, how do we know they are the best for this particular product?

I guess I would follow it up with how do we know, if we even knew that, how do we know that \$2 million is the right amount. Was there some investigation, some research done to determine that \$2 million was the right amount?

Mr. MURTHA. Every one of these earmarks are competitively granted under the regulations of the Defense Department. We depend on them to competitively check them over, and they do.

Mr. CAMPBELL of California. Let me ask, though, but then why is it, if they are competitively bid, that this one is going to Sherwin-Williams paint company?

Mr. MURTHA. There is no guarantee.

Mr. CAMPBELL of California. Well, I think Sherwin-Williams thinks there is, by the way.

Then the final question I would have for the gentleman would be if this \$2 million goes to Sherwin-Williams to develop this product, and they, in fact, develop it, will the taxpayers own that product? Is that then a product, a license, something that the taxpayers own?

Mr. MURTHA. Absolutely.

Mr. CAMPBELL of California. So the taxpayers will not have to pay for the use of that product in the future.

Mr. MURTHA. They do it all the time.

Mr. CAMPBELL of California. What evidence of that is there, if I may ask?

What do the taxpayers get for this \$2 million as evidence of their ownership of this product or technology?

Mr. MURTHA. Let me tell you, we have added, we have added all kinds of money for body armor, for paint, for the gentleman from Ohio, predecessors, one of your predecessors was always looking for new ways, new developments. Small business has been the real impetus for these things happening. Big business takes it on. We do the research and development because it benefits the troops. That's the reason we do this.

The CHAIRMAN. The gentleman's time has expired.

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. CAMPBELL from California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 17 OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. CAMPBELL of California:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act under the heading "Research, Development, Test and Evaluation, Navy" may be used for the Swimmer Detection Sonar Network.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, this particular earmark is for a swimmer detection sonar network for \$1.5 million. The company developing this technology is in New Hampshire.

Interestingly, there are about three other companies that do a similar technology or do something intended to do the same thing, which is detect people swimming in the water up towards a ship, at least three others that we have determined, and one of which is currently being used by the Coast Guard that doesn't use sonar but already is in place and in effect.

Mr. Chairman, I could ask the same series of questions of the chairman of the committee on this earmark that I did on the last. I won't do that, because

the point of this, frankly, is not that this particular earmark is particularly egregious, nor, frankly, that the previous one that I brought up was particularly egregious.

I believe that there are literally hundreds of earmarks like these offered by many members in this Defense Appropriations Committee.

The reason I am bringing these forward is because of a personal experience I had when a defense contractor came to me in my first few months in office and came forward with an earmark, and I asked these questions.

I said, does the military want this, or, have you developed something you want me to give you \$2 million of the taxpayers' money for something the military doesn't want?

Then I said how do I know that your technology will work? How do I know that this \$2 million is effective in curing or dealing with the situation that you claim you want it to be? Then I said how do I know you are the right supplier? It's great that you are in my district, that's wonderful, I think that's fine you have those jobs, but how do I know the best supplier is not in Pennsylvania? How do I know the best supplier is not in Connecticut? How do I know you're the right company to do this?

Then I said, even if I did, how do I know that \$3 million is the right price? How do I know that it doesn't cost you \$50,000 to develop this thing, and you are making \$2,950,000 off the American taxpayer. Then if you do, is the American taxpayer going to get this product for free, because if we pay for it, we should.

That is the point of what I am doing here. When you look at all of these earmarks, those five questions, in my view, should be asked on every single earmark that goes to a private company that is in this defense bill or, frankly, any other bill.

If the answer to all five of these questions is not yes, I don't care if it's a company in my district, or the chairman's district or anybody's district, we should not be using taxpayers' funds for it.

I will tell you that I told that defense supplier and every defense supplier in my district that I met with, no. Because they could not give me a yes answer to all five of those questions.

Mr. Chairman, I reserve the balance of my time.

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. Mr. Chairman, in this particular case we are looking for is sensors to protect against the type of thing that happened in Yemen with the USS *Cole*. We have a lot of people working on this, and we hope that we will be able to develop a system that will protect against that kind of swimmers for those kinds of ships.

Mr. Chairman, I yield back the balance of my time.